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SUBJECT: ARGENTINA POLITICAL ROUNDUP FOR MARCH 14

REF: A. (04) BUENOS AIRES 0785

[1](#)B. (05)BUENOS AIRES 0392
[1](#)C. BUENOS AIRES 0497

Classified By: Ambassador Line Gutierrez for Reasons 1.4 (B)(D).

[1](#)1. (U) Reftels and other Mission reporting available at
<http://www.state.sgov.gov/p/wha/buenosaires>

[1](#)2. TABLE OF CONTENTS

-- PROSECUTION OF AND APOLOGIES FOR MILITARY HUMAN RIGHTS
ABUSES
-- NARCOTICS UPDATE 1: FLYING SUITCASE JUDGE REMOVED
-- NARCOTICS UPDATE 2: WHITE WEDDING FOR "WHITE WINE"
SMUGGLER

----- Prosecution of and Apologies for Military Human Rights Abuses -----

[1](#)3. (U) In the first trial to actually begin after amnesty laws were overturned, former Coast Guard Chief Hector Febres is being prosecuted for torture during the military dictatorship. Although there have been several investigations and other former officers indicted, this is the first trial to be put into motion. Febres, who worked at the Navy Mechanics School (ESMA), an infamous torture center, is the first former official to be tried under Judge Sergio Torres, who is heading a "mega-probe" into military human rights abuses during the military dictatorship. In addition, the Buenos Aires Provincial Congress in La Plata confirmed the preventive detention of Cristian Von Wernich, who is charged with "homicide, torture, and illegitimate detainment" committed during the military dictatorship. Von Wernich was the Buenos Aires Provincial Police Captain, and has been held since September 2003 in the Federal Police's Antiterrorist Division in Buenos Aires.

14. (U) In a public address on March 8, Air Force Commander Brigadier Eduardo Schiaffino recognized and apologized for the actions of the Air Force during the Dirty War. In the presence of Defense Minister Nilde Garre, he assured the audience gathered at the heliport of the Condor Building that "we cannot remove the responsibility that the Air Force had" in committing crimes "against human dignity." He said the Air Force had "a moral obligation to recognize and repudiate" their responsibility in the military coup. (Comment: This historic recognition comes during what will be a few rough weeks for the military as the country commemorates the thirty-year anniversary of the coup. Schiaffino's statement is the first public apology for human rights abuses made by the Argentine Air Force, and it falls in line with previous apologies offered by the other branches of the armed forces. End Comment.) Reftel A

Narcotics Update 1: Flying Suitcase Judge Removed

15. (SBU) On March 8, the newly reorganized Council of Magistrates officially removed Judge Carlos Liporace from the high profile "flying suitcase" narcotics trafficking case involving the Southern Winds Airline. The case centered around 60 kilos of cocaine found in two suitcases sent as unaccompanied baggage to Spain (Reftel B). Post has followed the progress of this case closely as a measure of the GOA's commitment to anti-corruption and narcotics trafficking efforts. The case led to the removal of airport security from the control of the Air Force, and the forced retirement of the majority of senior Air Force Generals for failure to properly report the trafficking incident to President Kirchner. After a prolonged investigation, Liporace ordered the arrest of several Southern Winds employees, but cleared the owners (Juan and Christian Maggio) of involvement in the case. Liporace has reportedly been suspended from the case for several months, but this decision makes the suspension official and paves the way for future administrative action including possible removal from the bench.

16. (C) According to press reports, Liporace was suspended from the case for "bad performance in his official functions," but well-placed sources indicate he was removed for taking a bribe. According to high-ranking customs officials, the case originally did not receive much press because Liporace worked to keep it out of the news. Customs officials further attest that he received \$70,000 U.S. to exonerate the Maggio brothers of involvement in the case. After the case became national news, Liporace reportedly demanded a larger bribe from the Southern Winds owners, but it is unclear if he received a second payment. The removal of Liporace paves the way for a new investigation that could implicate the owners of Southern Winds. Recent local news reports highlighted Post's interest in the case (Reftel C) and this action could be the Kirchner Government's attempt to demonstrate its resolve to ensure those responsible for the "flying suitcase" smuggling operation are brought to justice.

(NOTE: Following a recommendation by Post's law enforcement working group, the B1/B2 visas of Juan Jose Maggio and Christian Maggio were revoked for being possible controlled substance traffickers. The individuals could contest this revocation by re-applying for U.S. visas and providing compelling evidence that they were not guilty of narcotics trafficking. END NOTE.)

Narcotics Update 2: White Wedding for "White Wine" Smuggler

17. (U) Two Serbian brothers charged with masterminding efforts to smuggle cocaine to Europe in a shipment of wine and wooden planks in 2004 made local news again when one of them held a reception for 200 guests at the Buenos Aires Four Seasons Hotel in celebration of his recent marriage to a former Miss Venezuela. Millionaire prisoner Dragos-lav Ilic, who has reportedly already spent more on legal fees than any

other narcotics defendant in Argentine history, and his brother were quietly transferred from prison to home incarceration to allow one of them to undergo surgery. Their home detention is in sharp contrast to the thousands of individuals, over 70 percent of the total prison population, that are currently incarcerated awaiting trial in Argentina. The two were confined in a luxury condominium in one of the most expensive parts of Buenos Aires under constant surveillance by the Gendarmeria, while their criminal case wound its way through the justice system. On February 26, Ilic held the highly publicized gala reception after receiving judicial approval to leave his residence for "a small religious ceremony."

18. (SBU) Papers reported that local DEA representatives were "concerned" about Ilic's home detention, but DEA reports that it made no inquiries into the case until they were questioned about their "concern" regarding the home detention. Local law enforcement, especially within the Gendarmeria, most likely implied DEA interest in the case to increase media coverage of the wedding story and end the home detention to which they are opposed. On March 9, the judge who granted home detention ended the newlywed's honeymoon by ordering that Ilic be returned to prison. The judge is reportedly considering revoking the other defendant's home detention order despite the impending surgery.
GUTIERREZ